

FILED

18 OCT 25 PM 2:33

CIRCUIT COURT  
FOR MULTNOMAH COUNTY

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

18CV48680

In the Matter of the Appointment  
of a Custodian for the Law Practice of  
LORI E. DEVENY,

Case No.

**DECLARATION OF JODIE  
PHILLIPS POLICH**

I, Jodie Phillips Polich, declare as follows:

1. I am an attorney in good standing with the Oregon State Bar and have been licensed to practice law in the State of Oregon since 1993. I am making this declaration on personal knowledge and I am competent to testify about the matters contained herein. The following is true to the best of my knowledge, information and belief. I understand that is made for use as evidence in Court and subject to penalty for perjury.


2. I understand that, in a Form B Resignation signed by Lori E. Deveny on or about May 24, 2018, Ms. Deveny appointed me as the attorney designated to take possession of her client files. From and after May 24, 2018, I have not received any client files or related documents from Ms. Deveny.

3. Attached as Exhibit 1 is a true and correct copy of an email exchange between me, Amber Bevacqua-Lynott, and Emily Schwartz, dated August 16, 2018.

4. Attached as Exhibit 2 is a true and correct copy of a fax that I sent to Ms. Bevacqua-Lynott, dated August 7, 2018.

1 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST  
2 OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE  
3 AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

4 Dated this <sup>25<sup>th</sup></sup> day of October, 2018.

5  
6   
Jodie Phillips Polich

**From:** Amber Bevacqua-Lynott  
**Sent:** Thursday, August 16, 2018 5:01 PM  
**To:** 'Jodie Phillips Polich' <jodie@phillipspolich.com>  
**Cc:** Emily Schwartz <eschwartz@osbar.org>  
**Subject:** RE: Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Ms. Phillips Polich,

Please understand that it is not my intent to offend or upset you, and I have no way to know what issues you are dealing with or the frustration that has resulted from your being designated as the custodian in the resignation, which the court accepted in its order. What I was trying to convey is that all the Bar can do is provide the public what the order states in the absence of a further order from the court. I appreciate and empathize with your circumstances, and it was for that reason that I reached out to Mr. Mackeson to see if he could, through communication with his client, Ms. Deveny, facilitate a replacement for you. I am happy to follow up with Mr. Mackeson and would urge you do the same.

In short, while I would like to assist you in transitioning from your role, the Bar has no independent ability to alter the court's order.

Please be advised that I am preparing for trial next week but would be happy to speak with you further about this matter when I return to the office on August 28.

**Amber Bevacqua-Lynott**  
Chief Assistant Disciplinary Counsel  
503-431-6365  
[alynott@osbar.org](mailto:alynott@osbar.org)

Oregon State Bar • 16037 SW Upper Boones Ferry Road • PO Box 231935 • Tigard, OR 97281-1935 • [www.osbar.org](http://www.osbar.org)

Please note: Your email communication may be subject to public disclosure. Written communications to or from the Oregon State Bar are public records that, with limited exceptions, must be made available to anyone upon request in accordance with Oregon's public records laws.

**From:** Jodie Phillips polich [<mailto:jodie@phillipspolich.com>]  
**Sent:** Thursday, August 16, 2018 3:36 PM  
**To:** Emily Schwartz <[eschwartz@osbar.org](mailto:eschwartz@osbar.org)>  
**Cc:** Amber Bevacqua-Lynott <[ALynott@osbar.org](mailto:ALynott@osbar.org)>  
**Subject:** RE: Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Amber-

I left you a voice mail indicating that I expect a return call tomorrow to discuss this. I expect the OSB to stop telling people I am Lori's designee when I am not. If you can't change the Order, you also can't enforce the Order. I have NO access to Ms. Deveny's files, nor do I have her files. Any such representation by OSB is untrue.

*Jodie Phillips Polich*

**From:** Emily Schwartz <[eschwartz@osbar.org](mailto:eschwartz@osbar.org)>  
**Sent:** Thursday, August 16, 2018 3:28 PM  
**To:** Jodie Phillips polich <[jodie@phillipspolich.com](mailto:jodie@phillipspolich.com)>  
**Cc:** Amber Bevacqua-Lynott <[ALynott@osbar.org](mailto:ALynott@osbar.org)>  
**Subject:** Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Dear Ms. Phillips Polich,

Attached please find a letter from Amber Bevacqua-Lynott. The original letter will be sent to you today via first class mail. Please let me know if you are unable to open the attachment.

Thank you,

Emily Schwartz

Discipline Paralegal  
503-431-6327  
[eschwartz@osbar.org](mailto:eschwartz@osbar.org)

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Aug. 7. 2018 9:35AM

Jodie Phillips Polich

No. 0420 P. 1

PO Box 220119  
Milwaukie, Oregon 97269  
503-654-1388  
Fax: 503-652-2586

**Law Offices of Jodie  
Anne Phillips Polich**

# Fax

**To:** Amber Bevaqua-Lynott **From:** Davina for Jodie Phillips Polich  
**Fax:** 503-868-4457 **Pages:** Cover plus 1  
**Phone:** **Date:** August 7, 2018  
**Re:** Lori Deveny **CC:** Wayne Mackeson - via e-mail  
Lori Deveny - via e-mail

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

**LAW OFFICES OF  
JODIE ANNE PHILLIPS POLICH, P.C.**

August 7, 2018

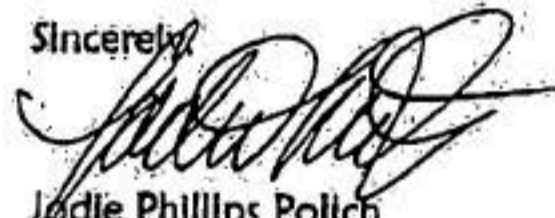
Amber Bevacqua-Lynott  
Oregon State Bar – Disciplinary Counsel's Office  
PO Box 231935  
Tigard, Oregon 97281-1935

Re: Lori E. Deveny – Stipulation for BR 3.1 Interim Suspension

Dear Ms. Bevacqua-Lynott:

Please accept this letter as notification that due to personal circumstances I am no longer in a position to serve as Ms. Deveny's designee or contact person as discussed in paragraph 8 of the April 27, 2018 Stipulation for BR 3.1 Interim Suspension. I would appreciate it if you would please adjust your records accordingly.

Sincerely,



Jodie Phillips Polich  
Attorney

JP/jp

Cc: Lori Deveny – via e-mail; Wayne Mackeson – via e-mail

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